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17 **UNITED STATES DISTRICT COURT**
18 **DISTRICT OF NEVADA**

19 DANIEL COYNE, individually and on behalf of
those similarly situated; DAVID DENTON,
20 individually and on behalf of those similarly
situated; and SEAN BOLLIG, individually and
21 on behalf of those similarly situated

22 Plaintiff(s),

23 vs.

24 LAS VEGAS METROPOLITAN POLICE
DEPARTMENT;

25 Defendant(s).

Case No.: 2:22-cv-00475-APG-DJA

STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES

(FIRST REQUEST)

26 Plaintiffs Daniel Coyne, David Denton, and Sean Bollig (hereinafter "Plaintiffs), by and
27 through their undersigned counsel, and Defendant Las Vegas Metropolitan Police Department
28 ("Defendant" or "LVMPD"), by and through its undersigned counsel, hereby submit the following

1 Stipulation and Order to Extend Discovery Deadlines (First Request). The Court granted the parties’
2 First Amended Discovery Plan and Scheduling Order, in part, on November 30, 2022, following a
3 Special Scheduling Review. [ECF Nos. 66 and 67]. The parties seek to extend all current discovery
4 deadlines contained in the First Amended Discovery Plan and Scheduling Order by 180 days. This is
5 the parties’ first request for an extension of the First Amended Discovery Plan and Scheduling Order.
6 The parties submit this stipulation in advance of the upcoming deadline to submit initial expert
7 disclosures, which is currently scheduled on June 14, 2024, and to clarify the deadlines for remaining
8 discovery. The parties respectfully ask this Court to enter an Order granting this extension and in
9 support thereof state as follows:

10 **1. Discovery Completed:**

- 11 1. Defendant served its initial disclosures pursuant to FRCP 26 on May 3, 2022.
- 12 2. Plaintiffs served their initial disclosures pursuant to FRCP 26 on May 31, 2022.
- 13 3. Defendant propounded its first set of Interrogatories, Requests for Admission, and Requests
14 for Production of Documents on the named Plaintiffs and certain opt-in Plaintiffs, pursuant to
15 the limited discovery ordered by the Court on the issue of preliminary collective action
16 certification, on January 26, 2023.
- 17 4. Plaintiffs served written responses to Defendant’s first set of Interrogatories, Requests for
18 Admission, and Requests for Production of Documents on March 29, 2023.
- 19 5. Plaintiffs served their first supplemental disclosures pursuant to FRCP 26 on May 29, 2023.
- 20 6. Defendants took the depositions of Plaintiffs Sean Bollig, Daniel Coye, David Denton,
21 Liovary Garcia, and James Parker, Jr. in February and March of 2023, pursuant to the limited
22 discovery ordered by the Court on the issue of preliminary collective action certification.

23 The Court granted preliminary certification of a collective action on August 15, 2023. [ECF No.
24 107]. The deadline for eligible individuals to join the lawsuit as opt-in Plaintiffs was December 14,
25 2023. [ECF No. 113]. Pursuant to the First Amended Discovery Plan and Scheduling Order,
26 discovery is set to close “240 days after the deadline upon which potential class members must file
27 written consents to join this action.” [ECF No. 66 at 8]. Plaintiffs propounded their first set of
28 Requests for Admissions and Requests for Production of Documents on the Defendant on March 14,

2024. Defendant served written responses to Plaintiffs’ first set of Requests for Admissions on April 15, 2024 and Defendant served written responses to Plaintiffs’ first set of Requests for Production of Documents on April 18, 2024.

2. Discovery Remaining to be Conducted:

1. Additional written discovery pertaining to final certification as well as damages and liability.
2. Depositions of the Plaintiffs and Defendant’s 30(b)(6) witnesses;
3. Depositions of percipient witnesses;
4. Initial and Rebuttal expert disclosures;
5. Depositions of disclosed expert witnesses, as deemed appropriate or necessary by the parties; and

3. Reasons in Support of Request for Extension to Complete Discovery:

As this Court is aware, the Plaintiffs’ Complaint and demand for jury trial was originally filed in the Eighth Judicial District Court, for Clark County, Nevada on February 15, 2022. The Summons and Complaint were served on the Defendant on February 22, 2022 and the Defendant timely removed the case to the District Court for the District of Nevada on March 16, 2022. [ECF No. 1]. On October 3, 2022, this Court issued an Order remanding the Plaintiffs’ “state law claims” to the Eighth Judicial District Court, District of Nevada. [ECF No. 45]. The Order Remanding State Law Claims remanded the following claims to the Eighth Judicial District Court for Clark County, Nevada: 1) Violation of NRS 608.016 & 608.140 – Failure to Pay for All Hours Worked, 2) Violation of NRS 608.250, 608.260, and the Nevada Constitution – Failure to Pay Minimum Wage for All Hours Worked, 3) Violation of NRS 608.020-608-050 and S.B. 245 – Failure to Timely Pay All Wages Due and Owing Upon Termination, and 4) Declaratory Relief. [ECF No. 45]. This Court maintains jurisdiction over Plaintiffs’ claim for Violation of 29 U.S.C. 207(a) – Failure to Pay Overtime. [ECF No. 45].

The parties have previously met and conferred regarding the desire to attempt to coordinate discovery between the Plaintiffs’ claims that are currently pending in the Eighth Judicial District Court (the “State Law Claims”) and Plaintiffs’ claim pending in this matter (the “Federal Claim”).

The parties agree that while the discovery necessary to litigate the State Law Claims and the Federal Claim will not be identical, there will be significant overlap in the discovery to be conducted with respect to both sets of claims such that, for the purposes of economy and efficiency, discovery between the two actions should be somewhat coordinated.

A hearing on Plaintiffs' Motion for Class Certification on the State Law Claims is currently set for August 15, 2024, and the parties are currently conducting discovery with respect to class certification on those claims.

Accordingly, the parties seek to extend the discovery deadlines in this matter in order to coordinate discovery between the two actions (depending on the outcome of Plaintiffs' Motion for Class Certification on the State Law Claims). Coordination between the two actions is anticipated to promote efficiency and economy.

Additionally, the Defendant's response to Plaintiffs' first set of Requests for Production of Documents (served on April 18, 2024) resulted in the production of over 60,000 pages of documents and Plaintiffs require additional time to review these documents before making an initial expert disclosure.

4. Proposed Revised Discovery Plan:

Based on the foregoing, the parties respectfully request that the Court grant their joint request to extend the discovery deadlines by 180 days, and extend all discovery deadlines as follows:

	Current Deadline Date	New Deadline Date
Amending Pleadings and Adding Parties	May 14, 2024	No Extension Requested
Initial Expert Disclosures	June 13, 2024	December 10, 2024
Rebuttal Expert Disclosures	July 15, 2024	January 13, 2025
Discovery Cut Off	August 12, 2024	February 10, 2025
Final Date to File Dispositive Motions	September 11, 2024	March 10, 2025
Joint Pretrial Order	October 14, 2024. However, In the event dispositive motions are filed, the date for filing the joint pretrial order shall be	April 14, 2025. However, In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after

	suspended until 30 days after decision on the dispositive motion(s) or further order of the Court.	decision on the dispositive motion(s) or further order of the Court.
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5. Further Extensions or Modifications of the Discovery Plan and Scheduling Order:

In accordance with Local Rule 26-3, any future stipulation or motion to extend a deadline set forth in the discovery plan and scheduling order must be made not later than 21 days before the subject deadline. Any future stipulation or motion to extend the discovery cut-off must be made no later than twenty-one (21) days before the discovery cut-off date.

DATED this 20th day of May, 2024.

DATED this 20th day of May, 2024.

/s/ Anthony P. Sgro, Esq.

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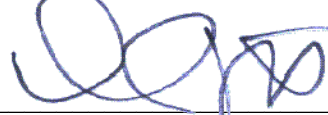
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Attorneys for Defendant

ORDER

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: 5/21/2024